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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,392	Markus Stoffel	11937/US/2

30873
 DORSEY & WHITNEY LLP
 INTELLECTUAL PROPERTY DEPARTMENT
 250 PARK AVENUE
 NEW YORK, NY 10177

INTERNATIONAL APPLICATION NO.	
PCT/US04/09954	
I.A. FILING DATE	PRIORITY DATE
03/31/2004	03/31/2003

CONFIRMATION NO. 3339
 371 FORMALITIES LETTER



OC000000018441412

Date Mailed: 04/04/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/29/2005
- Copy of the International Search Report filed on 09/29/2005
- Copy of IPE Report filed on 09/29/2005
- Information Disclosure Statements filed on 02/10/2006
- Small Entity Statement filed on 09/29/2005
- Request for Immediate Examination filed on 09/29/2005
- U.S. Basic National Fees filed on 09/29/2005
- Priority Documents filed on 09/29/2005
- Specification filed on 09/29/2005
- Claims filed on 09/29/2005
- Abstracts filed on 09/29/2005
- Drawings filed on 09/29/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Surcharge.**
- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
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10/551,392

PCT/US04/09954

11937/US/2

FORM PCT/DO/EO/905 (371 Formalities Notice)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Markus Stoffel	
Appln. No.:	10/551,392	
U.S. Filing Date:	September 29, 2005	
PCT Serial No.	PCT/US2004/09954	
International Filing Date	31 March 2004 (31.03.2004)	Examiner: Unknown
Title:	METHODS OF INHIBITING ADIPOGENESIS AND FOR TREATING TYPE 2 DIABETES	Group Art Unit: Unknown

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. § 371 IN THE US DESIGNATED/ELECTED OFFICE (DO/EO/US)****MAIL STOP PCT**

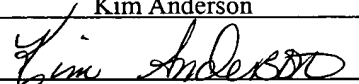
Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Express Mailing Number: EV-808022746 USDate of Deposit: September 5, 2006

I hereby certify that this document is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

(Name) Kim Anderson

(Signature)

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), date mailed April 4, 2006, the following documents are enclosed:

1. Required copy of the Notification of Missing Requirements (3 pgs);
2. Change of Correspondence Address (1 pg);
3. Fee Transmittal Sheet (1 pg.);
4. Petition for Extension of Period of Response (2 pgs);
5. Check in the amount of \$510.00 for Extension of Time fee;
6. Executed Declaration and Power of Attorney (3 pgs);
7. Paper copy of Sequence Listing (5 pgs);

09/08/2006 GFREY1 00000062 10551392

01 FC:2253


510.00 00


8. Disk containing Sequence listing; and
9. Return Receipt Postcard.

Respectfully submitted,

DORSEY & WHITNEY LLP
Customer Number 25763

Date: September 5, 2006

By: 
Scott D. Rothenberger, Reg. No. 41,277
(612) 340-8819

Effective on 02/07/06 <h2 style="text-align: center;">FEE TRANSMITTAL SHEET (FY 2006)</h2>		Complete if Known <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application No.</td> <td>10/551,392</td> </tr> <tr> <td>Filing Date</td> <td>September 29, 2005</td> </tr> <tr> <td>First Inventor</td> <td>Markus Stoffel</td> </tr> <tr> <td>Group Art Unit</td> <td>Unknown</td> </tr> <tr> <td>Examiner Name</td> <td>Unknown</td> </tr> <tr> <td>Atty. Docket Number</td> <td>11937/US/2</td> </tr> </table>		Application No.	10/551,392	Filing Date	September 29, 2005	First Inventor	Markus Stoffel	Group Art Unit	Unknown	Examiner Name	Unknown	Atty. Docket Number	11937/US/2																																																																																																																									
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METHOD OF PAYMENT (Check One) <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Deposit Account No.: 04-1420 Deposit Account Name: DORSEY & WHITNEY LLP For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge any additional fees or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17 <input type="checkbox"/> Credit any overpayments <input type="checkbox"/> Other (please identify): Extra Claim Fees <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Current Claims</th> <th>Prior</th> <th>Extra</th> <th>Fee</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total</td> <td>- 20</td> <td>=</td> <td>x \$</td> <td>= \$</td> </tr> <tr> <td>Ind.</td> <td>- 3</td> <td>=</td> <td>x \$</td> <td>= \$</td> </tr> <tr> <td>Multiple Dependent Claims</td> <td></td> <td>=</td> <td>x \$</td> <td>= \$</td> </tr> <tr> <td colspan="4" style="text-align: right;">Total (Extra Claims)</td> <td>\$</td> </tr> </tbody> </table>		Current Claims	Prior	Extra	Fee	Fee Paid	Total	- 20	=	x \$	= \$	Ind.	- 3	=	x \$	= \$	Multiple Dependent Claims		=	x \$	= \$	Total (Extra Claims)				\$	FEE CALCULATION (Continued) 3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee</th> <th>Small Entity Fee</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>130</td> <td>65</td> <td>Surcharge - Late nonprovisional filing fee or oath</td> <td></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of IDS</td> <td></td> </tr> <tr> <td>40</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>120</td> <td>60</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>450</td> <td>225</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1,020</td> <td>510</td> <td>Extension for reply within third month</td> <td>\$510.00</td> </tr> <tr> <td>1,590</td> <td>795</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>2,160</td> <td>1,080</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>790</td> <td>395</td> <td>Submission After Final 1.129</td> <td></td> </tr> <tr> <td>500</td> <td>250</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>500</td> <td>250</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1,000</td> <td>500</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>130</td> <td>65</td> <td>Terminal Disclaimer Fee</td> <td></td> </tr> <tr> <td>1,400</td> <td>700</td> <td>Utility & Reissue Issue Fee</td> <td></td> </tr> <tr> <td>800</td> <td>400</td> <td>Design Issue Fee</td> <td></td> </tr> <tr> <td>790</td> <td>395</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>300</td> <td></td> <td>Request for voluntary publication or republication</td> <td></td> </tr> <tr> <td>500</td> <td>250</td> <td>Petition to Revive - unavoidable</td> <td></td> </tr> <tr> <td>1,500</td> <td>750</td> <td>Petition to Revive - unintentional</td> <td></td> </tr> <tr> <td>200</td> <td></td> <td>Filing for patent term adjustment</td> <td></td> </tr> <tr> <td>400</td> <td></td> <td>Request for reinstatement of term reduced</td> <td></td> </tr> <tr> <td>1,120</td> <td></td> <td>Extension of term of patent</td> <td></td> </tr> <tr> <td colspan="2">OTHER FEE (specify)</td> <td></td> <td></td> </tr> <tr> <td colspan="3" style="text-align: right;">Subtotal (Additional Fees)</td> <td>\$510.00</td> </tr> <tr> <td colspan="3" style="text-align: right;">Total Amount of Payment:</td> <td>\$510.00</td> </tr> </tbody> </table>		Large Entity Fee	Small Entity Fee	Fee Description	Fee paid	50	25	Surcharge - late provisional filing fee or cover sheet		130	65	Surcharge - Late nonprovisional filing fee or oath		180	180	Submission of IDS		40	40	Recording each patent assignment per property (times number of properties)		120	60	Extension for reply within first month		450	225	Extension for reply within second month		1,020	510	Extension for reply within third month	\$510.00	1,590	795	Extension for reply within fourth month		2,160	1,080	Extension for reply within fifth month		790	395	Submission After Final 1.129		500	250	Notice of Appeal		500	250	Filing a brief in support of an appeal		1,000	500	Request for oral hearing		130	65	Terminal Disclaimer Fee		1,400	700	Utility & Reissue Issue Fee		800	400	Design Issue Fee		790	395	Request for Continued Examination (RCE)		300		Request for voluntary publication or republication		500	250	Petition to Revive - unavoidable		1,500	750	Petition to Revive - unintentional		200		Filing for patent term adjustment		400		Request for reinstatement of term reduced		1,120		Extension of term of patent		OTHER FEE (specify)				Subtotal (Additional Fees)			\$510.00	Total Amount of Payment:			\$510.00
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Petition Fee Under 37 CFR 1.17(f), (g), & (h) Enclosed is a Petition filed under 37 CFR as indicated below: <input type="checkbox"/> Petition Fee under 37 CFR 1.17(f) Fee \$400 § 1.53(e) to accord a filing date. § 1.57(a) to accord a filing date. § 1.182 for decision on a question not provided for. § 1.183 to suspend the rules. § 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent. § 1.174(b) to accord a filing date to an application under §1.740 for extension of patent term. <input type="checkbox"/> Petition Fee under 37 CFR 1.17(g) Fee \$200 § 1.12 for access to an assignment record. § 1.14 for access to an application. § 1.47 for filing by other than all inventors or person not the inventor. § 1.59 for expungement of information. § 1.103(a) to suspend action in an application. § 1.136(b) for review of a request for ext. of time when §1.136(a) not avail. § 1.295 for review of refusal to publish a statutory invention registration. § 1.296 to withdraw a req. for pub. after notice of intent to publish issued. § 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent. § 1.550(c) for request for ext. of time in <u>ex parte</u> reexam. proceedings. § 1.956 for request for ext. of time in <u>ex parte</u> reexam. proceedings. § 5.12 for expedited handling of foreign filing license. § 5.15 for changing the scope of a license. § 1.5.25 for retroactive license. <input type="checkbox"/> Petition Fee under 37 CFR 1.17(h) Fee \$130 § 1.19(g) to request documents in a form other than provided in this part. § 1.84 for accepting color drawings or photographs. § 1.91 for entry of a model or exhibit. § 1.102(d) to make an application special. § 1.138(c) to expressly abandon an application to avoid publication. § 1.313 to withdraw an application from issue. § 1.314 to defer issuance of a patent.																																																																																																																																								
Submitted by:																																																																																																																																								
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Name: Scott D. Rothenberger		Phone No.: (612) 340-8819	Fax No.: (612) 340-8856																																																																																																																																					
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